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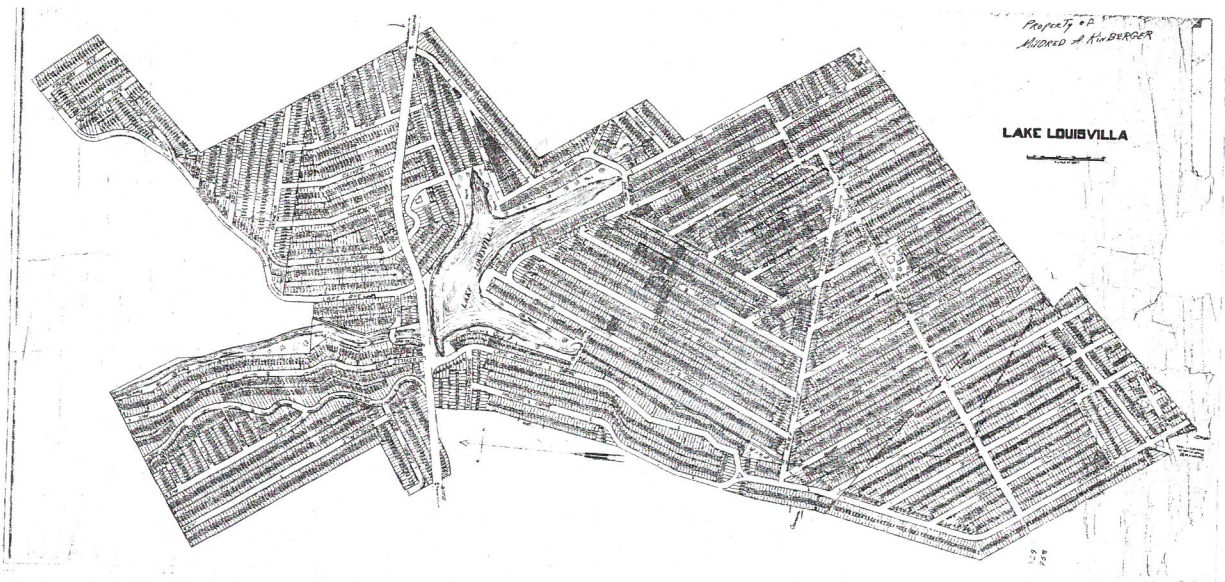
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**PARK SPRINGS**  
**VARIANCE JUSTIFICATION STATEMENT**  
LDC Chapter 5.3.1.C.

Applicant: Park Springs, LLC & Habitat for Humanity of Metro Louisville

The applicant is requesting a variance from Chapter 5.3.1.C of the Land Development Code to reduce the front and street sideyard setbacks on 16 lots in the Park Springs subdivision.

Park Springs is located in northeastern Jefferson County on land originally platted in 1924 as "Lake Louisville" and recorded in Plat Book 5, Pg 7. Habitat for Humanity received a donation of over 500 scattered 20'x100' lots and began taking steps to develop the property in 2008.



*1924 Plat of Lake Louisville Subdivision. 20' x 100' lots were created.*

Roadways and utilities were installed in 2016 and, under the development entity of Park Springs, LLC, an amended record plat was recorded in 2017 creating 96 new residential building lots. Rather than creating

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new lots, substandard 20-ft wide lots were consolidated into 40-ft and 60-ft wide single family residential lots. A Pattern Book was also developed in order to provide a framework and design standards for residential builders.

While Park Springs contains smaller 4000 and 6000 sf lots, standard R-4 setbacks remain applicable. These setbacks are not a problem on interior lots, but do create a problem for builders on corner lots and a couple of double frontage lots. A 4000 sf interior lot can accommodate a 30-ft wide residential structure, but a 6000 sf corner lot can only accommodate a 25-ft wide structure under these R-4 setback requirements. A total of 16 lots are constrained by existing R-4 yard setback requirements. The Pattern Book recommends special design attention be paid on double frontage and/or corner lots. Porches and additional façade ornamentation and encroachments are encouraged, but are difficult to implement given the smaller building envelop



*Under current R-4 setbacks, corner lots can only accommodate a 25-ft wide home. Other interior lots can accommodate 30-ft wide homes.*

*With requested variance, corner lots can accommodate 35' wide homes.*

As a result, the applicant is requesting that 16 corner and double-frontage lots, as listed in the Variance Application, be permitted to use a 20-ft yard setback rather than the standard 30-ft. This results in the applicants request for a 10-ft yard variance from Chapter 5.3.1.C. of the Metro Land Development Code.

With regard to the specific standard of review for granting this variance request, please note the following:

1. *Explain how the variance will not adversely affect the public health, safety or welfare.*

These variances result from the unique circumstance involved the Park Springs subdivision, which was based on the 1924 Lake Louisville plat. All of the 16 variances requested are interior to the subdivision and do not affect existing perimeter property owners. Therefore, the granting of this variance will not affect the public health, safety or welfare.

2. *Explain how the variance will not alter the essential character of the general vicinity.*

These variances address design and architectural standards contained in the Park Springs Pattern Book, and will be uniformly applied throughout the housing construction process. There are no existing

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residences affected, as a result, the granting of the variance will not adversely alter the essential character of the general vicinity, but in fact enhance the general character of corner lots in the subdivision.

3. *Explain how the variance will not cause a hazard or a nuisance to the public.*

The granting of the variance will still not encroach on existing LG&E utility easements which parallel one side of the right-of-way and accommodates vehicle parking for sideyard entry homes. Sidewalks are provided throughout the neighborhood and there are no other grade or physical constraints on the lots that cause a hazard or a nuisance to the public.

4. *Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.*

The extent of these variances is the minimal necessary to allow the same size home that can be constructed on interior lots to be also constructed on the 16 corner and double frontage lots. In addition, the granting of the variance will further accommodate the design and architectural requirements contemplated in the Park Springs Pattern Book. This request is therefore not an unreasonable circumvention of the requirements of the zoning regulations.

*Additional consideration.*

1. *Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity; (Please specify/identify).*

The plat for Park Springs and the roadway pattern were established by the record plat for Lake Louisvilla subdivision in 1924. Imposing the current R-4 front and street sideyard setbacks of 30 feet to the consolidated building lots creates the special circumstances which impact 16 corner and double frontage lots at Park Springs. These circumstances do not generally apply to land in the general vicinity.

2. *Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship.*

The strict application of the provisions of this regulation would create smaller building pads on corner lots than interior lots in the subdivision. The standard building width on interior lots in Park Springs is 30 ft, but only 25' on corner lots. In new subdivisions designed today without the pre-existing lotting pattern of the Lake Louisvilla area, corner lots can be designed to accommodate larger homes. As a result, the strict application of the regulation would deprive the applicant of building the same house on a corner lot that he can build on an interior lot.

3. *Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation which relief is sought.*

The circumstances are the result of a historic lot pattern that existed long before the applicant became involved with Park Springs and prior to Jefferson County's adoption of the Land Development Code.

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